

Message Text

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ORIGIN DLOS-03

INFO OCT-01 SS-14 ISO-00 EUR-08 PRS-01 L-01 SP-02 EB-03

INR-05 INRE-00 SSO-00 IO-03 COA-01 /042 R

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CLAPPIN PASS JOHN NORTON MOORE FROM OXMAN AND ESKIN LIMDIS

E.O. 11652: XGDS

TAGS: PLOS

SUBJECT: LOS: PRESS GUIDANCE ON DEEPSEA VENTURE CLAIM

1. WE EXPECT DEPT PRESS SPOKESMAN MAY BE ASKED ABOUT CLAIM OF EXCLUSIVE MINING RIGHTS BY DEEPSEA VENTURES. IF ASKED, WE PLAN TO HAVE PRESS SPOKESMAN MAKE AVAILABLE FOLLOWING WRITTEN STATEMENT AND TO GIVE BRIEF ORAL SUMMARY OF STATEMENT:

QTE: THE DEPARTMENT OF STATE RECEIVED ON NOVEMBER 15, 1974, A LETTER FROM MR. JOHN E. FLIPSE, PRESIDENT OF DEEPSEA VENTURES, INC., WHICH PURPORTS TO BE A QTE NOTICE OF DISCOVERY AND CLAIM OF EXCLUSIVE MINING RIGHTS AND REQUEST FOR DIPLOMATIC PROTECTION AND PROTECTION OF INVESTMENT, BY DEEPSEA VENTURES, INC. UNQTE. THIS CLAIM IDENTIFIES AN AREA IN THE EASTERN PACIFIC OCEAN THAT IS BEYOND THE NATIONAL JURISDICTION OF ANY STATE AND ASSERTS THAT DEEPSEA VENTURES, INC. QTE HAS DISCOVERED AND TAKEN POSSESSION OF, AND IS NOW ENGAGED IN DEVELOPING AND EVALUATING, AS
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THE FIRST STAGES OF MINING A DEPOSIT OF SEABED MANGANESE

NODULES. UNQTE. DEEPSEA VENTURES ASSERTS THE EXCLUSIVE RIGHTS TO DEVELOP, EVALUATE AND MINE THE DEPOSIT AND TO TAKE, USE AND SELL ALL OF THE MANGANESE NODULES IN, AND THE MINERALS AND METALS DERIVED THEREFROM.
- -- IVED THEREFROM.

THE DEPARTMENT OF STATE DOES NOT GRANT OR RECOGNIZE EXCLUSIVE MINING RIGHTS TO THE MINERAL RESOURCES OF AN AREA OF THE SEABED BEYOND THE LIMITS OF NATIONAL JURISDICTION.

THE APPROPRIATE FORUM FOR THE DEVELOPMENT OF THE LAW OF THE SEA IS THE THIRD UNITED NATIONS CONFERENCE ON LAW OF THE SEA AND NOT UNILATERAL CLAIMS. THE UNITED STATES SUPPORTS THE ACHIEVEMENT OF A WIDELY ACCEPTABLE AND COMPREHENSIVE LAW OF THE SEA TREATY IN 1975 THAT WOULD INCLUDE A REGIME AND MACHINERY FOR THE EXPLORATION FOR AND EXPLOITATION OF THE MINERAL RESOURCES OF THE DEEP SEABED BEYOND THE LIMITS OF NATIONAL JURISDICTION.

THE POSITION OF THE UNITED STATES GOVERNMENT ON DEEP OCEAN MINING PENDING THE OUTCOME OF THE LAW OF THE SEA CONFERENCE IS THAT THE MINING OF THE SEABED BEYOND THE LIMITS OF NATIONAL JURISDICTION MAY PROCEED AS A FREEDOM OF THE HIGH SEAS UNDER EXISTING INTERNATIONAL LAW. IF NECESSARY, THE DEPARTMENT OF STATE WILL CONSIDER PROVIDING SUCH DIPLOMATIC PROTECTION FOR DEEP SEABED MINING AS WOULD BE PROVIDED FOR OTHER HIGH SEAS USES. HOWEVER, HIGH SEAS FREEDOMS DO NOT INCLUDE EXCLUSIVE RIGHTS TO THE EXPLORATION OR EXPLOITATION OF THE MINERAL RESOURCES OF AN AREA. UNQTE.

2. MAW, STEVENSON AND ALDRICH CONSULTED. PLEASE ADVISE BEFORE NOON BRIEFING NOV. 19 IF YOU HAVE PROBLEMS WITH ABOVE APPROACH. INGERSOLL

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRESS COMMENTS, MARITIME LAW, MINING CONCESSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 NOV 1974
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CollinP0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE253750
Document Source: CORE
Document Unique ID: 00
Drafter: OESKIN:MZ
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740333-0074
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741134/aaaabcfz.tel
Line Count: 95
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: STADIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: CollinP0
Review Comment: n/a
Review Content Flags:
Review Date: 27 JUN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27 JUN 2002 by boyleja>; APPROVED <17 MAR 2003 by CollinP0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: PRESS GUIDANCE ON DEEPSEA VENTURE CLAIM
TAGS: PLOS, XP
To: LONDON
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005